

## TRY TO-DAY MAN WHO SANK HOSPITAL SHIP

Leipzig Judges to Begin Hearing in Case of Submarine Commander.

## CAUSED MANY DEATHS

Admiral Scheer Defends War Criminal Who Destroyed the Dover Castle.

## THE ONLY OBEYED ORDERS

Argues That Germany Was Justified in Limiting Routes for Such Vessels.

Special Cable to THE NEW YORK HERALD. Copyright, 1921, by THE NEW YORK HERALD. New York Herald Bureau, Berlin, June 3.

The trial of Lieut. Neumann of the German Navy for sinking the British hospital ship Dover Castle when many lives were lost, the first really significant case to be tried in the Leipzig court under the provisions of the Versailles Treaty, should not be regarded as a test case for the impartiality of the German Supreme Court, according to Admiral Scheer, who commanded the German High Seas Fleet and fought the British in the battle of Jutland. Admiral Scheer holds Lieut. Neumann must be acquitted in the trial, which begins tomorrow.

"I am no jurist," he said, "but according to my information the U-boat commander attacked the Dover Castle in a part of the Mediterranean which this Government ordered should not be travelled by ships designated for hospital use. Lieut. Neumann did not do anything more than carry out the command of his superior and must be set free."

## Orders Protect Subordinates.

Admiral Scheer cited Rene Brunet, professor of law at the University of Caen, as agreeing that subordinates are protected if they act in accordance with orders from above.

"The justification Germany had for issuing this stringent order," Admiral Scheer continued, "is contained in the memorandum of the German Government of January 29 and March 21, 1917, regarding the abuse of hospital ship privileges by the Entente. Numerous witnesses therein are quoted as testifying that the British were using hospital ships for the transport of munitions and troops. And it is charged that contrary to the agreement reached at the Hague peace conference they were changing hospital ships back into trade ships and vice versa."

"For this reason the German Government prescribed that in compliance with the terms of the convention adopted at the second Hague conference. And we served notice that in other parts, particularly in the English Channel and the Mediterranean, we would regard such ships as war vessels and would attack them."

## German "Consideration."

"The German Government delayed taking this step while out of consideration for the wounded and ill. This was rendered all the more difficult by the fate of our own hospital ship Ophelia shortly after the war began in October, 1914, which, while saving the survivors of torpedo boats which had been sunk, was captured and condemned by a prize court without German representation even being heard."

"But German patience finally became exhausted as this testimony of voluntary and trustworthy witnesses piled up and left no doubt that the sacredness of hospital ships was not being respected. The Government could not bear the responsibility toward its own men in the field of ignoring this evidence. Hence it made use of its privileges under the Hague convention."

"The time surely had come to disregard the tenth convention altogether, especially as it was intended only for the protection of the ill and wounded from naval battles, but the Germans had not claimed this right of protecting themselves from heavy damages and actually made a sacrifice of their own interests in behalf of humanity when they limited themselves to prescribing routes for hospital ships."

"But Lieut. Neumann would have acted within his rights had he sunk the Dover Castle as a war vessel despite its hospital cross, and even without orders from his Government. This vessel, accompanied by two English destroyers, formed part of a military escort which since all time has been recognized as subject to attack. He who uses arms must expect to be assailed with arms."

## DEMOCRATS OPEN FIRE

Threat to Withdraw From Coalition Is Reported.

By the Associated Press.

Berlin, June 3.—The Cabinet of Dr. Wirth will, in all probability, command only a relative majority in the Reichstag when the vote is taken on the motion expressing Parliament's approval of the Cabinet's programme of "fulfillment."

Rumors persist that the regime of the Wirth Ministry will be short lived, as the Democrats openly threaten to withdraw from the present coalition if the Government is obliged to rely habitually on the good will of the Independent Socialists for its existence, while the German People's party, which represents the nation's industrial interests, threatens to become openly antagonistic.

Dr. Walter Rathenau, the new Minister of Restoration, was severely heckled by members of the Nationalist, German People's and ultra-Rightist parties when he told the deputies that he purposed to keep his Ministry free from politics and war profiteers and expressed the belief that reconciliation was needed in the carrying out of the gigantic task before all nations.

"The world," he declared, "is not composed of chauvinists, nor is it made up of 1,500,000,000 foes, but it holds a large body of fair minded individuals, whose eyes were turned toward Germany and who were inquiring 'what will Germany do; will her life be devoted to the fulfillment of her debt?'"

## COOPER UNION GRADUATES 330.

Cooper Union's sixty-second commencement exercises were held last night and a graduating class of 330 received degrees and diplomas. There were 211 graduates of the school of science; 119 of the night school of art; 8 of the women's art school; and 7 in the school of

## LEAPS FROM SHIP IN MIDAIR TO KEEP HIS APPOINTMENT

Commodore Maitland Parachutes With Orderly and Baggage as He Suddenly Remembers Business 1,000 Feet Below.

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The man who was crossing the ocean and wanted the captain to stop the ship so he could get off and walk had nothing on him. Commodore E. N. Maitland, who, while a thousand feet up in the air aboard the airship R-33, suddenly remembered that he had an appointment below and so jumped out. His orderly, seeing his chief go, also jumped, and then Maitland's baggage was sent floating after them by the crew of the big dirigible. A watchman at the Royal Airship Works at Cardington was astonished while going his rounds to see three mys-

terious parachutes float down at 1 o'clock yesterday morning and land safely in a wide field. Commodore Maitland had seen the running of the English Derby from aboard the R-33 and afterward watched the crowd disperse from Epsom Downs. Then he turned the big airship north toward his home in Howden. As he passed over Cardington he recalled that he had promised to attend an important conference there early that same morning. The airship could not land there and Commodore Maitland could not get back to the conference in time if he continued on to Howden. Therefore, he jumped with a parachute. His orderly followed, landing close to him, and his baggage landed a minute later, all within a radius of a couple of hundred yards.

## LEAGUE'S FUTURE PUZZLES POWERS

Continued from First Page.

plan entirely outside of the league itself. In this the French and other Governments would like to see President Harding take the first step, and disappointment was expressed that he had not already done so.

The reason why, it was explained, that these Governments do not want to take the first step is that it would put them in the embarrassing position of inviting proposals to dissolve the organization of which they are members. They do not want to do this officially, either through their Embassies or through the league amendment commission. And yet, it was explained, it would be entirely different were President Harding to make the first move and submit through diplomatic channels his concrete plan, regarding which curiosity here is still unrelieved.

M. Viviani is known to still express confidence that the United States will eventually participate in the league despite official declarations from Washington, and pending this he does not intend to mix in the league amendment committee affairs. His theory, like that of other pro-league optimists, is that as long as other political relations are settled it will be time enough to amend Article X of the covenant and any other sections to meet American wishes. He has long reported to the French Foreign Office along these lines, recounting interviews he had in America with both pro-league and anti-league Senators.

## Policy of Pro-Leaguers.

But if the United States does not join the league, according to M. Viviani and other pro-league parliamentarians, there will be only one thing to do, namely, to use his own words, "out down expenses while reserving the organization as the directing influence of the international court, which has the fullest approval of the 'United States'."

## RETURN OF BERGDOLL IS PUT UP TO CANADA

London Foreign Office Presses on Extradition Question.

By the Associated Press.

LONDON, June 3.—Decision as to whether Great Britain will intervene in the case of Grover C. Bergdoll and support the United States if it attempts to extradite him from Germany rests with the Canadian Government, whose passport laws Bergdoll violated.

The Foreign Office announced today that the question had been passed on to Canada, which comes within the purview of the British extradition treaty with Germany. It is explained in official circles that while Canada might extradite Bergdoll to Canadian soil, there are no apparent grounds at present on which he could be turned over to the United States.

The British Government is anxious to aid the United States in any possible manner to bring Bergdoll to justice, it was said in these circles.

## INQUIRY INTO HARVEY SPEECH IS BLOCKED

House Committee Refuses to Report Resolution.

WASHINGTON, June 3.—The House Foreign Affairs Committee, by a vote of 11 to 6, refused today to report the Flood resolution calling upon the Secretary of State for information whether certain utterances in the recent speech by Ambassador Harvey before the Pilgrim Society in London were in compliance with instructions from his Government.

The resolution also sought information whether communications approving or disapproving the speech had been sent to the Ambassador by the Department.

## THE NANTUCKET AT BREST.

PLYMOUTH, England, June 3.—The Massachusetts nautical schoolship Nantucket, which arrived here last week on her 10,000 mile foreign cruise, sailed today for Brest, France. From the French port she will proceed to Lisbon, Cadix, Tangier, Gibraltar and Berberia, and thence home to Boston. The Nantucket was officially visited by the Mayor of Plymouth before her departure.

## "HERBERT HOOVER STRASSE."

The American Relief Association last night announced that the municipality of Steyr, Upper Austria, had renamed one of its principal thoroughfares "Herbert Hoover Strasse," in appreciation of Mr. Hoover's relief work.



The NEW MUN-CEY for Spring Wear

A man buys at a place he likes, because he is well treated; and he finds satisfactory value. More likely than any, the word of a friend or a printed word on a friendly advertisement sometimes starts him. We invite you to inspect our four new shoes for Spring.

Lasts and Patterns exclusively our own design.

Built by

THE JOHN J. QUINN SHOE

WHITEHOUSE & HARDY

BROADWAY AT 40TH ST. 144 WEST 42ND STREET

Metropolitan Opera House Bldg. Knickerbocker Building

NEW YORK

## HARDING WILL AVOID DISARMAMENT TILT

Will Not Intervene in Congress Fight Over Broadening Borah Plan.

## HIS POLICY LAID DOWN

President Believes Legislative Move Will Not Disrupt His Work.

## GARRETT BLOCKS ACTION

Senate and House Leaders Stand by Their Positions, Holding Up Naval Bill.

Special Despatch to THE NEW YORK HERALD. New York Herald Bureau, Washington, D. C., June 3.

President Harding will not interfere in the present fight between Senate and House over whether the Borah disarmament amendment to the naval appropriation bill should be broadened to include land forces and navies of other nations than Great Britain and Japan, it was learned at the White House today.

Through his informal feelers to other nations, the President already has taken comprehensive disarmament steps and he does not believe any proposal adopted by Congress would disrupt his plans, although it was indicated that he thought it might prove to be wiser for Congress to place no limitations on him. However, there is little disposition in Congress to limit the President in any way.

Officials here pointed out that if real results in reduction of armament were accomplished it would be largely because of the President's efforts and that Congressional action, although giving the Executive additional influence, was largely for the purpose of putting members of Congress on record for such steps.

## Both Sides Are Firm.

Meanwhile both Senate and House leaders made it plain today that they intend to stand by their positions on the disarmament question. The fight may prevent passage of the naval bill before July 1, the beginning of the new fiscal year, when the appropriations will become necessary.

Democratic leaders of the House united with the Republicans in favor of extending the scope of the Borah amendment. Leaders of both parties want to give to the President a clear road to invite other nations than Great Britain and Japan and to include the question of land disarmament in any international conference.

The sending of the naval bill to conference was blocked by Democratic leader Garrett, who insisted that the conference be instructed to extend the Borah amendment's scope. Republican leaders argued that the conference should be free to accept the wisest proposal. Senator Borah today issued a statement declaring the inclusion of land forces in the disarmament conference would add confusion and prevent accomplishment of real results. Mr. Garrett's proposal was to leave the question of land disarmament and the inclusion of other nations to the discretion of the President.

## MENTALITY OF THE DISARMAMENT CONFERENCE

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## Representative Mondell (Wyo.), the Republican leader, informed the House that the resolution would be called up next Thursday. Backed by the full Republican strength of the committee, leaders declared that it would be passed probably that day.

On the proposal to report the Porter measure in place of the Knox resolution repealing the declaration of war, which has already been passed by the Senate, the Republican members of the committee voted solidly in the affirmative. The Democrats merely voted "present."

## Senator Borah's Statement.

Senator Borah in his statement said: "It seems to me if those who are suggesting that the disarmament amendment be broadened to include land forces as well as naval forces will reflect upon the situation as it now exists in Europe, they will readily conclude that to broaden the amendment is to kill the whole thing. It is impossible to make any headway at all in the way of land disarmament at present in Europe."

## With reference to naval disarmament, the situation is entirely different. The three nations which are now actually engaged in a naval race are the United States, Great Britain and Japan, who are expending millions, even billions, in building navies, and they are the only three Powers which bid fair to enter into competition for the next twenty-five or fifty years. So far as land disarmament is concerned, it does not make any difference to the United States, as a matter of security, how many troops France has. The House has very wisely limited our army to 130,000 men. France has an army of 300,000.

## "In other words, if we are sincerely going forward with the question of disarmament and sincerely desirous of curtailing expenditures and reducing the chances of war, we will start where we can start and make progress, and that is with the naval Powers which are now in actual competition in building navies."

## "I would not want to be understood as saying that all who have suggested including land forces as well as naval forces are against disarmament, but I ask those who are sincerely in favor of disarmament to observe that all those who have been opposed to disarmament, and who are now opposed to it, and all the enemies of the cause are enthusiastically for including land forces."

## "It was my privilege to read a letter written by a very prominent man in the business world to a party in Washington—and I quote almost his exact language—in which he says: 'Disarmament can best be handled by delaying it, and the best way to delay it is to insist upon land disarmament as well as sea disarmament. It will then take care of itself.'"

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The appended English translation of the text of Japan's reply to the League of Nations on the subject of disarmament was given out here tonight by the Japanese Embassy.

"The Japanese Government, with a view to the maintenance of world peace, earnestly desires that all countries come, in conformity with the spirit of the League of Nations, to a simultaneous reduction of their armaments. However, as the council of the league, following the stipulations of the covenant, is now assiduously studying plans of disarmament, the Japanese Government considers that it would not be opportune to

## LORD BYNG IS NAMED GOVERNOR OF CANADA

Hero of Vimy Ridge to Succeed Duke of Devonshire.

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Official announcement was made this afternoon of the appointment of Lord Byng of Vimy, hero of Vimy Ridge, as Governor-General of Canada, to succeed the Duke of Devonshire. Lord Byng refused to discuss the appointment earlier in the day and continued his work with the United Services Fund, which he founded and retired from the army to direct in the interest of ex-service men.

Lord Byng, then Sir Julian Byng, commanded the 3d Cavalry Corps, 9th Army Corps, 17th Army Corps and the Canadian Corps on the French front. It was he who directed the famous "battle of the tanks" at Cambrai, and it was under him that the Canadians captured Vimy Ridge.

Lord Byng, who was born September 11, 1852, is the seventh son of the second Earl of Strathford. In appearance he is tall and lean, the head of a cavalryman, hard as a nail, with most piercing blue eyes.

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